

**GROUP OF GOVERNMENTAL EXPERTS OF
THE STATES PARTIES TO THE CONVENTION
ON PROHIBITIONS OR RESTRICTIONS ON
THE USE OF CERTAIN CONVENTIONAL
WEAPONS WHICH MAY BE DEEMED TO BE
EXCESSIVELY INJURIOUS OR TO
HAVE INDISCRIMINATE EFFECTS**

CCW/GGE/IV/WG.2/WP.1
6 March 2003

Original: ENGLISH

Fourth Session
Geneva, 10-14 March 2003
Item 8 of the provisional agenda

Working Group on Mines Other Than Anti-Personnel Mines

Core Questions on Mines Other Than Anti-Personnel Mines (MOTAPM)

Note by the Coordinator

1. In accordance with the mandate, adopted by the 2002 Meeting of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, the Working Group on Mines Other Than Anti-Personnel Mines (MOTAPM) should continue in 2003 to explore the issue of MOTAPM (CCW/MSP/2002/2).
2. In order to better organize the work of the Group, at the open-ended informal meeting of the States Parties to the CCW held on February 28, it was suggested to center the discussion of the coming session of the GGE on three main topics, namely:
 - **MOTAPM Laid Outside Fenced and Marked Areas**
3. At the Third session of the GGE in 2002 the delegation of Ireland submitted a working paper (CCW/GGE/III/WP.4) on MOTAPM Laid Outside Fenced and Marked Areas. The paper offers a base for substantive debate on the threat posed by long-lived MOTAPM laid by hand or by mechanical means outside marked and fenced areas, including by mines delivered by land-based systems from less than 500 meters (scatterable mines). The Group is therefore invited to explore the operational use and the humanitarian risk posed by these mines, the adequacy of the existing humanitarian standards as well as the suitable technical and other solutions the States Parties might wish to adopt for minimizing the long-term hazard these mines present to civilian population, peacekeeping forces and humanitarian operations.
 - **The Use of MOTAPM by Non-State Actors**
4. One of the direct results of the tendency of multiplication of low intensity armed conflicts witnessed during the last decade is the increasing involvement in internal hostilities of armed groups operating outside of government control and the increased resort to a wide range of MOTAPM by them. Such a tendency raises a number of questions related to the proliferation of the humanitarian risk caused by MOTAPM. Accordingly, the GGE is invited to explore the issue of the use of MOTAPM by non-state actors and in particular: what is the scope of the humanitarian risk associated with the use of MOTAPM by non-state actors; how to assure to the maximum possible extent that the international humanitarian norms applicable to

MOTAPM are respected by the groups operating outside governmental control; how to address in the most appropriate manner the involvement of non-state actors in the landmine problem. A discussion paper submitted by India will facilitate the debates on the topic. Information relevant to the issue is also contained in CCW/GGE/II/WP.9, presented by ICRC, CCW/GGE/II/WP.14, presented by UNMAS and CCW/GGE/II/WP.16, presented by Romania.

▪ **MOTAPM with Sensitive Fuses**

5. During its Second session in 2002, based on working papers CCW/GGE/II/WP.5 and CCW/GGE/II/WP.5/Add.1 presented by Germany and CCW/GGE/II/WP.16 presented by Romania, the GGE (including at the level of military experts) considered the humanitarian risk, associated with the use of MOTAPM equipped with sensitive fuses and the need to explore possible solutions. In particular a suggestion was made to reach an agreement on suitable technical standards for fuse mechanisms that would minimize the risk to civilians posed by MOTAPM with sensitive fuses. Following a favorable reaction by several States Parties which provided - on a voluntary basis – information on existing fuse mechanisms and their technical functions, the delegation of Germany presented at the Group's Third session an Overview of Sensitive Fuses and Recommendations for Best Practice (CCW/GGE/III/WP.5) regarding the design and the use of fuse mechanisms. The Group is, therefore, invited to continue its consideration of the issue, focusing especially on the approach proposed in CCW/GGE/III/WP.5 and the information contained therein.
